

CASREF, CLOSED

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-10797-JGD**

Uliano v. Tilden et al
Assigned to: Magistrate Judge Judith G. Dein
Demand: \$999,000
Cause: 28:1332 Diversity-Auto Negligence

Date Filed: 04/21/2004
Jury Demand: Both
Nature of Suit: 350 Motor Vehicle
Jurisdiction: Diversity

Intervenor Plaintiff

**Societe De L'Assurance Automobile
Du Quebec**

represented by **Elton Watkins, III**
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Lawrence, MA 01840
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Mark Uliano

represented by **David M. Cohen**
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V.

Defendant

Kenneth Tilden

represented by **James T. Sullivan**

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TERMINATED: 09/17/2004
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Defendant

Marie H. Bissell

represented by **James C. Crowley, Jr.**

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Cross Claimant

Kenneth Tilden

V.

Cross Defendant

Marie H. Bissell

Date Filed	#	Docket Text
04/21/2004	<u>1</u>	COMPLAINT Filing fee: \$ 150, receipt number 55435, filed by Mark Uliano.(Barrette, Mark) (Entered: 04/23/2004)
04/21/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein. (Barrette, Mark) (Entered: 04/23/2004)
04/21/2004		Summons Issued as to Marie H. Bissell, Kenneth Tilden. (Barrette, Mark) (Entered: 04/23/2004)
05/18/2004	<u>2</u>	SUMMONS Returned Executed, Marie H. Bissell served on 4/30/2004, answer due 5/20/2004. (Barrette, Mark) (Entered: 05/24/2004)
05/24/2004	<u>3</u>	SUMMONS Returned Executed Kenneth Tilden served on 5/3/2004, answer due 5/24/2004. (Attachments: # <u>1</u> Proof of Service# <u>2</u> Proof of Service)(Barrette, Mark) (Entered: 05/24/2004)
05/24/2004	<u>4</u>	NOTICE of Appearance by Robert P. Turner on behalf of Kenneth Tilden (Barrette, Mark) (Entered: 05/28/2004)
05/24/2004	<u>5</u>	ANSWER to Complaint with Jury Demand, CROSSCLAIM against Marie H. Bissell by Kenneth Tilden.(Barrette, Mark) (Entered: 05/28/2004)
06/04/2004	<u>6</u>	NOTICE of Appearance by James C. Crowley Jr. on behalf of Marie H. Bissell (Barrette, Mark) (Entered: 06/09/2004)
06/04/2004	<u>7</u>	ANSWER to Complaint with Jury Demand by Marie H. Bissell.(Barrette, Mark) (Entered: 06/09/2004)
09/16/2004	<u>10</u>	Intervenor COMPLAINT , filed by Societe de l'assurance automobile du Quebec.(Barrette, Mark) (Entered: 09/23/2004)
09/16/2004	<u>11</u>	MOTION to Intervene Pursuant to F.R.C.P., Rule 24 by Societe de l'assurance automobile du Quebec.(Barrette, Mark) (Entered: 09/23/2004)
09/16/2004	<u>12</u>	MEMORANDUM in Support re <u>11</u> MOTION to Intervene filed by Societe de l'assurance automobile du Quebec. (Barrette, Mark) (Entered: 09/23/2004)
09/17/2004	<u>8</u>	NOTICE of Withdrawal of Appearance Attorney Robert P. Turner terminated. (Barrette, Mark) (Entered: 09/21/2004)
09/17/2004	<u>9</u>	NOTICE of Appearance by James T. Sullivan and Joseph M. Noone on behalf of Kenneth Tilden (Barrette, Mark) (Entered: 09/21/2004)
09/24/2004	<u>13</u>	NOTICE of Scheduling Conference Scheduling Conference set for 10/27/2004 02:00 PM in Courtroom 9 before George A. O'Toole Jr.. Please mark your calendars accordingly.(Lyness, Paul) (Entered: 09/24/2004)

10/08/2004	<u>14</u>	Supplemental Initial Disclosures pursuant to F.R.C.P. 26(a)(1) and L.R.26.2 by Kenneth Tilden.c/s(Edge, Eugenia) (Entered: 10/12/2004)
10/27/2004	<u>15</u>	JOINT STATEMENT re scheduling conference. (Lyness, Paul) (Entered: 10/28/2004)
10/27/2004	<u>16</u>	CERTIFICATION pursuant to Local Rule 16.1 by Kenneth Tilden. (Lyness, Paul) (Entered: 10/28/2004)
10/27/2004		Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Scheduling Conference held on 10/27/2004, The Joint Statement submitted by counsel is adopted by the court. Motion to intervene <u>11</u> is ALLOWED. Motions terminated: <u>11</u> MOTION to Intervene filed by Societe de l'assurance automobile du Quebec. Status Conference set for 5/25/2005 02:00 PM in Courtroom 9 before George A. O'Toole Jr.. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 10/28/2004)
12/07/2004	<u>17</u>	NOTICE of Change of Address by Elton Watkins III (Edge, Eugenia) (Entered: 12/08/2004)
01/03/2005	<u>18</u>	Document disclosure: Second Supplemental disclosure pursuant to F.R.C.P.26(a)(1) and Local Rule 26.2. c/s by Kenneth Tilden.(Edge, Eugenia) (Entered: 01/06/2005)
03/31/2005	<u>19</u>	JOINT MOTION for Extension of Time to April 30, 2005 to Complete Discovery by Mark Uliano, Societe De L'Assurance Automobile Du Quebec, Kenneth Tilden, Marie H. Bissell.(Edge, Eugenia) (Entered: 04/04/2005)
04/05/2005		Judge George A. O'Toole Jr.: Electronic ORDER entered granting <u>19</u> Motion for Extension of Time to Complete Discovery (Lyness, Paul) (Entered: 04/05/2005)
05/25/2005	<u>20</u>	CERTIFICATE OF CONSULTATION by James C. Crowley, Jr on behalf of Marie H. Bissell. c/s (Edge, Eugenia) (Entered: 05/25/2005)
05/25/2005		Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Status Conference held on 5/25/2005. Final Pretrial Conference set for 9/29/2005 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Jury Selection set for 10/11/2005 09:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. Jury Trial set for 10/11/2005 09:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 05/26/2005)
08/04/2005	<u>21</u>	Assented to MOTION for Extension of Time to September 1, 2005 to schedule a medical examination by Kenneth Tilden. c/s(Edge, Eugenia) (Entered: 08/04/2005)
08/25/2005	<u>22</u>	Document disclosure: Expert Disclosure Pursuant to F.R.C.P. 26(a)(2) by Kenneth Tilden. c/s (Attachments: # <u>1</u> Exhibits A and B)(Edge, Eugenia) (Entered: 08/26/2005)
08/30/2005	<u>23</u>	Assented to MOTION for Extension of Time to September 9, 2005 to

		disclose expert witnesses by Mark Uliano. (Edge, Eugenia) (Entered: 08/30/2005)
09/01/2005	<u>24</u>	AFFIDAVIT of Notice of intention to use medical reports as evidence of James C. Crowley, Jr. by Kenneth Tilden, Marie H. Bissell.c/s (Edge, Eugenia) (Entered: 09/02/2005)
09/08/2005	<u>25</u>	Exhibit and Witness List by Marie H. Bissell. c/s(Edge, Eugenia) (Entered: 09/09/2005)
09/08/2005	<u>26</u>	Proposed Document(s) submitted by Marie H. Bissell. Document received: Expert Witness Disclosure. c/s (Edge, Eugenia) (Entered: 09/09/2005)
09/09/2005	<u>27</u>	CERTIFICATION pursuant to Local Rule 16.1 by Mark Uliano. c/s (Edge, Eugenia) (Entered: 09/12/2005)
09/09/2005	<u>28</u>	Document disclosure: Expert Disclosure by Mark Uliano. c/s (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B (contains medical information) (Edge, Eugenia) (Entered: 09/12/2005)
09/27/2005	<u>29</u>	JOINT MOTION to Continue Trial date to the week of November 14, 2005 by Mark Uliano, Societe De L'Assurance Automobile Du Quebec, Kenneth Tilden, Marie H. Bissell.(Edge, Eugenia) (Entered: 09/29/2005)
09/29/2005		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Final Pretrial Conference held on 9/29/2005. Counsel are exploring the possibility of arbitration. The case is referred to Magistrate Judge Dein for trial. Jury Trial set for 11/14/2005 09:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. Please mark your calendars accordingly.(Court Reporter Lee Marzilli.) (Lyness, Paul) (Entered: 09/30/2005)
09/29/2005	<u>30</u>	AFFIDAVIT of James T. Sullivan.c/s (Edge, Eugenia) (Entered: 10/04/2005)
10/06/2005		NOTICE OF RESCHEDULING Jury Selection set for 11/14/2005 09:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. Jury Trial set for 11/14/2005 09:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Lyness, Paul) (Entered: 10/06/2005)
10/06/2005		CASE REFERRED to Magistrate Judge Judith G. Dein. (Edge, Eugenia) (Entered: 10/31/2005)
10/07/2005	<u>31</u>	AFFIDAVIT of Compliance of Stephen J. Delamere by Mark Uliano. c/s (Attachments: # <u>1</u> Intention to introduce into evidence)(Edge, Eugenia) (Entered: 10/11/2005)
10/11/2005		Judge Judith G. Dein : Electronic ORDER entered granting <u>21</u> & <u>23</u> Assented To Motions for Extension of Time. (Dambrosio, Jolyne) (Entered: 10/11/2005)
10/20/2005	<u>33</u>	CONSENT to Jurisdiction by US Magistrate Judge by Mark Uliano, Societe De L'Assurance Automobile Du Quebec, Kenneth Tilden, Marie

		H. Bissell.. (Edge, Eugenia) (Entered: 10/25/2005)
10/21/2005	<u>32</u>	Letter/request (non-motion) from Stephen J. Delamere, Esq.. (Delamere, Stephen) (Entered: 10/21/2005)
10/21/2005		Judge Judith G. Dein : ElectronicORDER entered regarding <u>29</u> Joint Motion to Continue Trial Date. The parties are to notify the court by 11/30/05 as to whether this matter is going to binding arbitration. A new trial date will be set at that time if necessary. At this point, the court is not available on 12/12/05. (Dambrosio, Jolyne) (Entered: 10/21/2005)
02/07/2006	<u>34</u>	NOTICE of Statutory Attorney's Lien filed be Atty. Bruce A. Bierhans, firm representing Plaintiff. c/s (Edge, Eugenia) (Entered: 02/10/2006)
02/13/2006	<u>35</u>	STIPULATION of Dismissal by Mark Uliano. (Lyness, Paul) (Entered: 02/13/2006)
02/24/2006	<u>36</u>	AFFIDAVIT of Attorney Bruce A. Bierhans by Mark Uliano. (Attachments: # <u>1</u> Exhibit A-Correspondence to Independence Bank# <u>2</u> Exhibit B-Correspondence to Attorney Rhodes# <u>3</u> Exhibit C-Email from Bruce Bierhans to Stephen Delamere# <u>4</u> Exhibit D- Correspondence to Donna Dias# <u>5</u> Exhibit E-Correspondence to Amy Widergren# <u>6</u> Exhibit F- Mass Dispute Resolution Letter# <u>7</u> Exhibit G- Correspondence to James Crowley)(Bierhans, Bruce) Additional attachment(s) added on 3/2/2006 (Edge, Eugenia). (Entered: 02/24/2006)
02/27/2006	<u>37</u>	Supplementary AFFIDAVIT of Attorney Bruce A. Bierhans by Mark Uliano. (Bierhans, Bruce) Modified on 3/2/2006 (Edge, Eugenia). (Entered: 02/27/2006)
03/01/2006		Judge Judith G. Dein : Electronic ORDER entered. Case is closed pursuant to the Stipulation of Dismissal filed on February 13, 2006. If further court involvement is necessary, a motion to reopen must be filed after compliance with Local Rule 7.1.(Dambrosio, Jolyne) (Entered: 03/01/2006)

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